

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

SIOUX RURAL WATER SYSTEM, INC., a
Non-Profit Corporation

Plaintiff,

vs.

CITY OF WATERTOWN, a South Dakota
Municipality, and WATERTOWN
MUNICIPAL UTILITIES, an agency of
the CITY OF WATERTOWN

Defendants.

Civ. 15-1023

**SECOND AFFIDAVIT OF
HEATH THOMPSON IN SUPPORT
OF RESPONSE TO DEFENDANTS'
STATEMENT OF UNDISPUTED
MATERIAL FACTS**

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF CODINGTON)

Heath Thompson, being first duly sworn on oath, deposes and states:

1. That this Affiant is the Manager of Sioux Rural Water System [hereinafter
“Sioux”], a non-profit corporation, organized under the laws of the State of South
Dakota in the above-entitled matter.

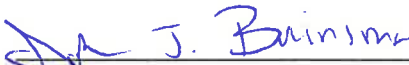
2. Sioux would have and will in the future construct necessary facilities to
serve customers entitled to receive water from Sioux.

3. Sioux was never given the opportunity to provide water service to the 192
customers identified in Exhibit E of Darin Schriever’s Report. Watertown and WMU
simply took the customers.

Dated this 5th day of December, 2016.


Heath Thompson

Subscribed and sworn to before me
this 5th day of December, 2016.


Notary Public - South Dakota
My Commission Expires: 2-5-19

